

Applicants elect, with traverse, for further prosecution, serum albumin for Species A, glutaraldehyde for Species B, and drug A for Species C. Claims 2-14 read on the elected species.

Applicants respectfully submit that, the Office has not provided an adequate reason or example to support a conclusion of patentable distinctness, or shown that a burden exists in searching the entire application.

Further, MPEP §803 states as follows:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on its merits, even though it includes claims to distinct or independent inventions.

Applicants submit that a search of all claims would not constitute a serious burden on the Office, particularly in view of the fact that the Examiner has previously searched and examined the entire application without requiring an Election of Species (see paper number 6).

Accordingly, and for the reasons presented above, Applicants submit that the Office has failed to meet the burden necessary in order to sustain the Election of Species Requirement. Withdrawal of the Election of Species Requirement is respectfully requested.

Applicants respectfully submit that the above-identified application is now in  
condition for examination on the merits, and early notice of such action is earnestly solicited.

Respectfully submitted,

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